IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5241 of 1992

For Approval and Signature:

HONOURABLE MR.JUSTICE P.B.MAJMUDAR

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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HASABEN J DAVE - Petitioner(s)
Versus
STATE OF GUJARAT & 1 - Respondent(s)

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Appearance :
MR VIREN G DAVE for MR YOGESH S LAKHANI for Petitioner.
MS TRUSHA PATEL, ASST.GOVERNMENT PLEADER for Respondent(s) : 1,
NOTICE SERVED for Respondent(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE P.B.MAJMUDAR

Date : 29/01/2007

ORAL JUDGMENT

By filing this petition, the petitioner has prayed

for issuance of necessary writ, direction or order under Article 226 of the Constitution of India directing the authorities to release the petitioner's salary for the period from 21.06.1989 to 28.02.1991.

Today, when the matter is called out, learned Assistant Government Pleader, Ms. Patel, states that the petitioner has already written a letter dated 25.01.2006 to the Chief Personnel Officer of the Department stating that her prayers have been satisfactorily sanctioned to her and that she has requested for permission to withdraw this petition unconditionally. The Department, vide their letter dated 10.02.2006 has forwarded the aforesaid letter to the office of the Government Pleader. At the request of learned advocates, both the letters are ordered to be taken on record.

Mr. Viren Dave, learned advocate for the petitioner submitted as per the aforesaid correspondence, it seems that the petitioner has shown willingness to withdraw the petition as her claim is satisfied but she has not written any letter to him.

However, since the petitioner has shown willingness to withdraw the petition by writing letter to the Department, which is on record, the petitioner is permitted to withdraw the petition, with a liberty to revive the petition in case of difficulties.

Rule is discharged. No order as to costs.

[P. B. MAJMUDAR, J.]

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